

Governor's Rules Review  
Use Only

Filed in Accordance With  
Part 2 of Article 1  
of Chapter 143B  
N. C. General Statutes

(date)

Staff Attorney



State of North Carolina  
Department of Justice  
P. O. Box 629 — Raleigh, NC 27602

Justice Department  
Use Only

RECEIVED

(date)

Administrative Procedures Section  
Attorney General's Office

### CERTIFICATION OF RULEMAKING

Certifying Agency:			Department of Transportation		
Certified Rule (citation):			Highway Traffic Ordinances 90-58 thru 90-61		
Action:			<input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL		
Formal Action Date:	Statutory Authority:		Public Notice Date:		
	G.S. 136-18 (5)		N/A		
Public Hearing Date:	Public Hearing Not Required for This Action Under G.S.:				
N/A	150A-1; 20-1				
Rule Summary (also indicate change in rule if amended):					
Municipal Speed Zones, Rural Speed Zones, Light Traffic Ordinance, Prohibition of Driving on Median.					
Circumstances Requiring Rule Adoption, Amendment or Repeal:					
Necessary for public safety and welfare.					
Effective Date (no earlier than the 1st day of second calendar month following filing):					
August 8, 1990					

APA Coordinator or Agency Contact

Address

Phone

Officer Signature  
J. M. Lynch, P.E.

Typed Name  
State Traffic Engineer

Title

This Certification of Rulemaking with attachments, was received for filing, in the form specified by this office on: \_\_\_\_\_ (date)

Attorney General

BOARD OF TRANSPORTATION  
HIGHWAY TRAFFIC ORDINANCES

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, other than setting, changing or extending route numbers on the Primary highway system of North Carolina pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141, 20-141.1.

MUNICIPAL SPEED ZONES

MODIFICATIONS

TOWN OF ELON COLLEGE

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>Delete the Following Speed Limits</u>		
45	000200032	(Westbrook Avenue) SR 1309 from the corporate limit of Elon College, a point 0.26 mile north of (Vetern Drive) SR 1312, northward to the corporate limit of Elon College, a point 0.04 mile south of (Cook Drive) SR 1311.
45	000200033	(East Haggard Avenue) NC 100 from Lawrence Avenue (NS) eastward to Elon College corporate limit a point 0.36 mile west of Gilliam Road (SR 1342).

BOARD OF TRANSPORTATION  
HIGHWAY TRAFFIC ORDINANCES

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, other than setting, changing or extending route numbers on the Primary highway system of North Carolina pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

RURAL SPEED ZONES

Declare the Following Speed Limits

DIVISION 7

Ord. No.	Route	Description	Length (Miles)	Limit (MPH) Cars-Trucks
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ORANGE COUNTY

670300216	NC 86	From SR 1733 (Weaver Road) northward to a point 0.10 mile north of SR 1730 (Whitfield Road).	0.82	45 45
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Delete the Following Speed Limits

670300189	NC 86	(Airport Road) from the corporate limits of Chapel Hill, a point 0.46 mile north of SR 1777 (Homestead Road) northward to the corporate limits of Chapel Hill, a point 0.19 mile south of SR 1733 (Weaver Road).	0.37	45 45
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RURAL SPEED ZONES

Declare the Following Speed Limits

DIVISION 7

<u>Ord. No.</u>	<u>Route</u>	<u>Description</u>	<u>Length (Miles)</u>	<u>Limit (MPH) Cars-Trucks</u>
<u>ROCKINGHAM COUNTY</u>				
780300242	SR 1358	(Anglin Mill Road) from a point 1.10 mile west of SR 1360 (Smith Road) eastward to the Virginia State Line, northwest of Stoneville.	3.20	45 45
780300243	SR 1358	(Anglin Mill Road) from a point 0.20 mile west of SR 1354 (Bennette Road) eastward to a point 1.10 mile east of SR 1354 (Bennette Road) northwest of Stoneville.	1.30	45 45

BOARD OF TRANSPORTATION  
HIGHWAY TRAFFIC ORDINANCES

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

Pursuant to the provisions of G.S. 143B-350 and 19NCAC 2A.0106, the Secretary of Transportation determines that the roads herein listed are inadequate to carry and be injuriously affected by trucks or buses using and said roads and carrying the statutory load limits, unless restricted. The said highways are hereby designed as Light Traffic Roads.

LIGHT TRAFFIC ROAD ORDINANCE

DELETE

DIVISION 13

<u>Item No.</u>	<u>County</u>	<u>Route</u>	<u>From</u>	<u>To</u>
1	Buncombe	SR 1720	SR 1740	US 25-70
2	Buncombe	SR 1718	SR 1720	End Pavement

Based upon his investigation, the Division Engineer finds that the above listed roads are inadequate and will be injuriously affected by trucks and buses using said roads unless restricted and hereby recommends said roads be designated as Light Traffic Roads.

BOARD OF TRANSPORTATION  
HIGHWAY TRAFFIC ORDINANCES

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, other than setting, changing or extending route numbers on the Primary highway system of North Carolina pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 136-18 (5).

PROHIBITION OF DRIVING ON MEDIAN

DIVISION 10

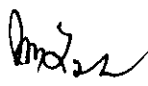
BUNCOMBE COUNTY

It shall be unlawful for any person to drive a vehicle over, upon, or across the raised, mountable median that is located on NC 191 (Brevard Road) in Buncombe County from a point 300 feet north of SR 3474-SR 3585, northward to the I-26 eastbound on-ramp at exit #2.

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (G.S. 136-18 (5); 143B-350 (f), 143B-350 (g) and 19ANCAC 4A.0004). The Highway Traffic Ordinances herein adopted are identified as follows:

<u>ORDINANCE NO.</u>	<u>ORDINANCE TYPE</u>	<u>ADOPT</u>	<u>REPEAL</u>	<u>AMEND</u>	<u>EFFECTIVE DATE</u>
90-58	Municipal Speed Zones	0	2		August 8, 1990
90-59	Rural Speed Zones	3	1		August 8, 1990
90-60	Light Traffic Ordinance	0	2		August 8, 1990
90-61	Prohibition of Driving	1	0		August 8, 1990
	On Median				

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer, and these ordinances shall be in full force and effect from and after the erection of such signs.

  
 \_\_\_\_\_  
 State Traffic Engineer

8-8-90  
 \_\_\_\_\_  
 Date

CERTIFICATE OF MUNICIPAL ORDINANCE DECLARING SPEED LIMIT MODIFICATIONS AND REQUEST FOR CONCURRING ORDINANCE BY DEPARTMENT OF TRANSPORTATION.

TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:

I, Roxie E. Hetzel, Clerk of the Town of (City) (Town)

Elon College, do hereby certify that the Board of Aldermen (Governing Body)

of the Town duly enacted on the 13th day of November, (City) (Town)

19 84 an ordinance based upon an engineering and traffic investigation pursuant to authority granted by G. S. 20-141 (f) declaring the following speed limit modifications as set forth below on the following described portion of a State Highway System Street:

Rescind the Following Speed Limits

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Declare the Following Speed Limits

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>45</u>	<u>3</u>	<u>Westbrook Avenue (SR 1309) from the corporate limit of Elon</u>
_____	_____	<u>College a point 0.26 mile north of Veteran Drive (SR 1312),</u>
_____	_____	<u>northward to the corporate limit of Elon College, a point 0.04</u>
_____	_____	<u>mile south of Cook Drive (SR 1311).</u>
_____	_____	_____

said ordinance to become effective upon adoption of the Department of Transportation of a concurring ordinance and the erection of signs giving notice of the authorized speed limit; that said ordinance is recorded in Minute Book "L" at page 221.



In witness whereof, I have hereunto set my hand and the seal of the Town  
of Elon College, this 13th day of November,  
19 84.

*Rosie E. Hight* (Seal)

CERTIFICATE OF MUNICIPAL ORDINANCE DECLARING SPEED LIMIT MODIFICATIONS AND REQUEST FOR  
CONCURRING ORDINANCE BY DEPARTMENT OF TRANSPORTATION.

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authority granted by G. S. 20-141 (f) declaring the following speed limit modifications  
as set forth below on the following described portion of a State Highway System Street:

Rescind the Following Speed Limits

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>45</u>	<u>1</u>	<u>Haggard Avenue (NC 100) from a point 0.10 mile east of Oak</u> <u>Avenue (SR 1323) to the east town limit (a distance of 0.35</u> <u>mile).</u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>

Declare the Following Speed Limits

<u>Speed Limit</u>	<u>Ordinance Number</u>	<u>Description</u>
<u>45</u>	<u>4</u>	<u>East Haggard Avenue (NC 100) from Lawrence Avenue (NS)</u> <u>eastward to Elon College corporate limits a point 0.36</u> <u>mile west of Gilliam Road (SR 1342).</u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>

said ordinance to become effective upon adoption of the Department of Transportation of a  
concurring ordinance and the erection of signs giving notice of the authorized speed  
limit; that said ordinance is recorded in Minute Book "L" at page 222.

In witness whereof, I have hereunto set my hand and the seal of the Town  
of Elon College, this 13th day of November,  
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Rollie E. Hight (Seal)